

10565.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STOLT-NIELSEN TRANSPORTATION GROUP B.V.,

07 CIV ( )

Plaintiff,

-against-

MAHADEV AGRIBUSINESS CO.

Defendant

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 06/06/07

**ORDER (i) DIRECTING CLERK  
TO ISSUE PROCESS OF  
MARITIME ATTACHMENT AND  
GARNISHMENT; (ii) APPOINTING  
PERSON TO SERVE PROCESS  
PURSUANT TO RULE 4(c); AND  
(iii) CONFIRMING SCOPE OF  
SERVICE**

Upon reading and filing the Verified Complaint of the Plaintiff herein, verified on the 4<sup>th</sup> day of June, 2007, and the Affidavit of Lawrence J. Kahn, sworn to on the same day, that to the best of his information and belief the Defendant MAHADEV AGRIBUSINESS CO. cannot be found within this District for the purpose of an attachment under Supplemental Rule B(I), and applying for an Order Appointing a Special Process Server; and the Court having found that the conditions required by Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure exist,

NOW, upon motion of Freehill Hogan & Mahar, LLP, attorneys for the Plaintiff, it is hereby

**ORDERED** that the Clerk of this Court is directed forthwith to issue the Process of Maritime Attachment and Garnishment for seizure of all tangible and intangible property of the Defendant, as described therein, including but not limited to any property belonging to, due, held or being transferred to or for the benefit of the Defendant MAHADEV AGRIBUSINESS CO. at, moving through, or within the possession, custody or control of banking institutions and/or other institutions or such other garnishee(s) on whom a copy of the Process of Maritime Attachment and Garnishment may be served, in the amount of ~~\$1,187,415.38~~ <sup>#816,862.50</sup> pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil NYDOCS1/284296.1

Procedure in respect to the claim against the Defendant MAHADEV AGRIBUSINESS CO.; and it is further

**ORDERED** that supplemental process enforcing the Court's Order may be issued and served without further Order of the Court; and it is further

**ORDERED** that Lawrence J. Kahn, Don P. Murnane, Jr., Barbara G. Carnevale, Robert Ridenour, Joan Sorrentino, Eric Matheson, Christina Gargano, or any other partner, associate, paralegal or other agent of Freehill Hogan & Mahar LLP be and is hereby appointed, in addition to the United States Marshal, to serve the Process of Attachment and Garnishment and the Verified Complaint, together with a copy of this Order and any interrogatories, upon any garnishee named in the Process, together with any other garnishee(s) who (based upon information developed subsequent hereto by the Plaintiff) may hold assets of, for, or on behalf of the Defendant; and it is further

**ORDERED** that following initial service upon any garnishee by the United States Marshal or any other person designated by Order to make service in this action, supplemental service of the Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served, such service to be in accordance with each garnishee's preference or policy, and such facsimile or other electronic transmission shall be deemed to be made within the district if it has been sent from within the district; and it is further

**ORDERED** that service on any garnishee herein is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made

commencing from the time of such service, and that same service is further deemed to be effective through the end of the next business day provided another service is made during the next business day.

Dated: New York, New York  
June 6, 2007

  
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U.S.D.J.

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